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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 CLYDE E. McROBERTS,

11 Petitioner,

No. CIV S-05-0287 FCD GGH P

12 vs.

13 ARNOLD SCHWARZENEGGER,

14 Respondent.

ORDER

15 \_\_\_\_\_/  
16 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of  
17 habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States  
18 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

19 On April 13, 2005, the magistrate judge filed findings and recommendations  
20 herein which were served on petitioner and which contained notice to petitioner that any  
21 objections to the findings and recommendations were to be filed within twenty days. Petitioner  
22 has not filed objections to the findings and recommendations.

23 The court has reviewed the file and finds the findings and recommendations to be  
24 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY  
25 ORDERED that:

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2. This action is dismissed without prejudice.

/s/ Frank C. Damrell Jr.  
FRANK C. DAMRELL JR.  
United States District Judge

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